

1 DANIEL G. BOGDEN
2 United States Attorney
3 PHILLIP N. SMITH, JR.
4 Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336
5

6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
* * *

8
9 UNITED STATES OF AMERICA,) 2:14-CR-00280-JCM-GWF
10)
11 Plaintiff,)
12)
13 v.)
14 DOMINQUE WELLS, et al.,)
15 Defendants.)
16 _____)

STIPULATION FOR EXTENSION OF TIME

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
18 United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for
19 the United States of America, and Raquel Lazo, Assistant Federal Public Defender, counsel for
20 Defendant DOMINQUE WELLS, and Melanie A. Hill, Esq., counsel for Defendant ANDRE
21 HALL, and Thomas F. Pitaro, Esq., counsel for Defendant CHRISTOPHER DOBBINS, that the
22 date for the Government to file a response to the Defendants' Motion to Sever (Docket #41, #43,
23 and #46) be extended for two (2) weeks.

24 This stipulation is entered for the following reasons:
25

26 1. On December 1, 2014, Defendant DOBBINS filed a Motion to Sever. On
27 December 2, 2014, Defendant HALL filed a Motion to Sever. On December 4, 2014, Defendant
28 WELLS filed a Motion for Joinder to both co-Defendants' Motions to Sever. PACER set the

Government's response deadline for December 18, and December 19, 2014, respectively. *See* Docket #41, #43, and #46.

2. Counsel for the Government has been preparing for and participating in the suppression hearing in the matter of United States vs. Wei Seng Phua, et al., case number 2:14-cr-249-APG-PAL, and has had inadequate time to file a response to the Defendants' Motions, due to the press of business.

3. The Defendants are incarcerated, but they do not object to the brief continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government adequate time to file a response to the Defendants' Motions.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the first stipulation filed herein to continue the Government's response deadline.

DATED: December 18, 2014.

/s/
PHILLIP N. SMITH, JR.
Assistant United States Attorney
Counsel for the United States

/s/
RAQUEL LAZO
Assistant Federal Public Defender
Counsel for Defendant DOMINQUE WELLS

/s/
MELANIE A. HILL, ESQ.
Counsel for Defendant ANDRE HALL

/s/
THOMAS F. PITARO, ESQ.
Counsel for Defendant CHRISTOPHER DORRINS

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,) **2:14-CR-00280-JCM-GWF**
)
)
 Plaintiff,)
)
)
 v.)
)
)
 DOMINQUE WELLS, et al.,)
)
)
 Defendants.)
)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On December 1, 2014, Defendant DOBBINS filed a Motion to Sever. On December 2, 2014, Defendant HALL filed a Motion to Sever. On December 4, 2014, Defendant WELLS filed a Motion for Joinder to both co-Defendants' Motions to Sever. PACER set the Government's response deadline for December 18, and December 19, 2014, respectively. See Docket #41, #43, and #46.

2. Counsel for the Government has been preparing for and participating in the suppression hearing in the matter of United States vs. Wei Seng Phua, et al., case number 2:14-

cr-249-APG-PAL, and has had inadequate time to file a response to the Defendants' Motions, due to the press of business.

3. The Defendants are incarcerated, but they do not object to the brief continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government adequate time to file a response to the Defendants' Motions.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the first stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

CONCLUSIONS OF LAW

The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government adequate time to file a response to the Defendants' Motions. The failure to grant said continuance would likely result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendants' Motions to Sever (Docket #41, #43, and #46) is extended until January 5, 2015. The motion hearing set for January 5, 2015 is vacated and rescheduled for Wednesday, January 28, 2015 at 9:30 a.m. in Courtroom 3A.

UNITED STATES MAGISTRATE JUDGE

DATED: December 19, 2014